

Serial No. 10/807,500  
Reply to Office Action of April 21, 2006

### REMARKS

Responsive to the requirement for restriction, applicants hereby elect the Group of claims drawn to a screening assay employing a polypeptide that is BNPI (for instance independent claim 49). Applicants are not able to determine which Group this corresponds to in the Office Action, however, if the Group would be expected to include at least claims 49, 54, 55 and 57-61. Applicants note that, for instance, claim 49 originally recited 9 polypeptides, as BNPI and DNPI were originally recited in addition to the others identified in the Office Action.

Responsive to the indication that claim 1-65 recite an improper Markush Group, the claims are amended so that they are directed to the BNPI polypeptides. As a result of this amendment, unity of invention exists for the Markush Groups, as the various members of the Markush Group are functional as BNPI polypeptides and share a common structure of being homologous such that the polypeptides are functional as BNPI polypeptides. It is the structure of the polypeptide itself that provides this function.

Responsive to the requirement for an election of species, Applicants elect the method of claim 49 for screening compounds relevant to visual disturbances. Claims 49, 54, 55 and 57-60 read on this species.

In view of the foregoing, favorable action on the application is earnestly solicited.

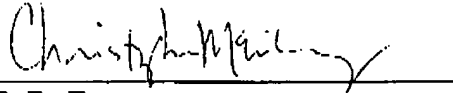
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If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the prosecution of the application for all concerned.

Although a petition for an Extension of Time is submitted herewith, if necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 029310.53352US)

July 20, 2006

Respectfully submitted,



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